



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/522,110

02/24/2005

Qishou Xu

CU-4057 BWH

3549

26530 7590 01/12/2010
LADAS & PARRY LLP
224 SOUTH MICHIGAN AVENUE
SUITE 1600
CHICAGO, IL 60604

EXAMINER

GOON, SCARLETT Y

ART UNIT

PAPER NUMBER

1623

MAIL DATE

DELIVERY MODE

01/12/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Examiner-Initiated Interview Summary	Application No. 10/522,110	Applicant(s) XU ET AL.	
	Examiner SCARLETT GOON	Art Unit 1623	

All Participants:

(1) SCARLETT GOON.

(2) Ms. Zareefa B. Flener, Applicants' representative.

Date of Interview: 4 January 2010

Status of Application: pending

(3) _____.

(4) _____.

Time: 11:37 am

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description: _____.

Part I.

Rejection(s) discussed:

None

Claims discussed:

None

Prior art documents discussed:

None

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/SCARLETT GOON/
Examiner, Art Unit 1623

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Ms. Flener, Applicants' representative, was contacted regarding potential patentable subject matter. The Examiner indicated to Ms. Flener that the remarks/arguments filed in response to the outstanding Office Action was not sufficient to put the case in condition for allowance. More specifically, the Examiner noted to Ms. Flener that Applicants argue that the claimed composition and method had superior long-acting property that was unexpected. However, in the absence of a Declaration showing the unexpected results, between the 5'-lauric ester of riboflavin and other positional isomeric esters of riboflavin (such as on the 2-, 3- or 4- positions), and between the 5'-lauric ester of riboflavin and other esters differing in the chain length, the instantly claimed methods are still considered prima facie obvious over the teachings of the prior art. The Examiner queried as to whether Applicants would be able to submit such a Declaration. Ms. Flener indicated she would discuss the matter with Applicants.